

U.S.S.N. 10/008,052
Attorney Docket: SCVL-110 (58092-012)

REMARKS

Claims 1-36 remain in the application. The applicants respectfully submit that the pending claims are patentable over the cited references in view of the following arguments. The applicants also submit that claims 37-40, which depend from claim 1 and have been withdrawn because those claims are directed to non-elected species in response to a restriction requirement, should be examined and considered patentable upon allowance of the generic independent claim 1.

In the Office Action, claims 1-36 have been rejected as being obvious in view of the combined teachings of US. Patent Nos. 6,234,980 (Bell), 5,269,803 (Geary), 5,310,402 (Rollband), 5,510,102 (Cochrum) (or 5,665,107 (Hammerslag)), 2003/0050589 (McDevitt et al., patent application publication), 4,833,238 (De Lucca et al.). Particularly, the Examiner stated that Cochrum and Hammerslag respectively show that applying pressure proximal a wound site is well known in the art, and therefore, in combination with the prior cited references, teach or suggest the invention as claimed. The applicants respectfully disagree with the Examiner's conclusion.

Cochrum discloses application of pressure to a proximal portion of a blood vessel, but not at a puncture wound as claimed in independent claim 1. Hammerslag teaches, in the BACKGROUND section of the application, that the technique of application of direct pressure to the perforation site until normal physiologic pathways have sealed the perforation site may fail to prevent hemorrhage. The Hammerslag reference diverges and points in a technical direction away from the present invention. Therefore, Hammerslag teaches away from the present invention as claimed. Furthermore, Hammerslag, while teaching applying a sealant to the vascular perforation to seal the perforation, does not teach or suggest applying pressure in order to at least partially collapse the blood vessel at the puncture wound. Hammerslag, looked at in its entirety, also fails to teach or suggest a combination of applying pressure at and proximal to the puncture wound and application of a closure pad having a cationic biopolymer of glucosamine against the puncture wound.

As agreed with the Examiner in the interview dated June 2, 2004, the insertion in Claim 1 of "at and" after --pressure--, and "at the puncture wound" after --vessel-- (in Response to Office Action filed November 4, 2004), would overcome the outstanding §103 rejection based on Bell (U.S. Patent No. 6,234,980), and the other previously cited references (Geary, Rollband,

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McDevitt et al., and De Lucca et al.). As discussed above, Cochrum and Hammerslag also fail to teach the inserted limitation (the insertion in Claim 1 of "at and" after --pressure--, and "at the puncture wound" after --vessel--) and other limitations as claimed in claim 1. Therefore, the applicants respectfully submit that claim 1 should be considered patentable in view of the cited references. Claims 2-36 depend directly or indirectly from claim 1 and also should be considered patentable over the cited references.


CONCLUSION

On the basis of the foregoing amendments and remarks, the applicants respectfully submit that all the pending claims 1-40 are in condition of allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

No additional costs are believed to be due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to our Deposit Account No. 50-1133.

Respectfully submitted,

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